

REMARKS

I. STATUS OF THE CLAIMS

Claims 1 and 3-7 were previously pending. Claims 6 and 7 are canceled herein. New claims 9-17 are added. Thus, claims 1, 3, 4, and 9-17 are submitted for consideration herein.

II. REJECTION OF CLAIMS 1, 3-7 UNDER 35 U.S.C. § 112(2)

Claim 1 is amended to overcome the rejection, and claims 6-7 are canceled. Thus, withdrawal of the rejections is respectfully requested.

III. REJECTION OF CLAIM 1 UNDER 35 U.S.C § 102 by Webb (6,012,719)

Claim 1 recites, "wherein the pre-established set of rules provides a winning side bet for the player where the sum of the three initial cards is greater than or equal to 19, but not greater than 21."

Webb teaches a blackjack side bet which pays on any of the following hands: straight flush, three of a kind, straight, flush and pair. However, Webb is silent about paying where the sum of the three initial cards is greater than or equal to 19 but not greater than 21.

Claim 3 recites, "... the three initial cards are the same card **and** of the same suit" (emphasis added).

Webb does not teach paying an award wherein cards the same card AND the same suit.

In order for a reference to anticipate a claim, the reference must teach all features of the claim. Webb does not teach the feature cited above. Therefore, withdrawal of the rejection is respectfully requested.

IV. NEW CLAIMS 9-17

New claims 9-17 recited features not taught or suggested by the prior art, and it is submitted that claims 8-17 are patentable.

V. CONCLUSION

In view of the above amendments and remarks, it is submitted that the application is now in condition for allowance.

If there are any issues the Examiner wishes to discuss with the Applicant, the Examiner is encouraged to contact the undersigned attorney.

Respectfully submitted,

Muskin & Cusick

By


Jon H. Muskin

1/4/05
date

Reg. No. 43,824

Customer #43,536

(215) 853-8257

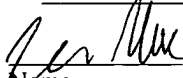
I Hereby Certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

on 1-4-05

 1-9-05
Name date

JON MUSKIN